

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and the following remarks are presented for the Examiner's consideration.

Claims 1-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Jochheim (U.S. Patent No. 6,137,050) in view of Petratos et al. (U.S. Patent No. 4,680,676). For at least the following reasons, the examiner's rejection is respectfully traversed.

None of the references disclose or suggest a radio terminal device comprising both "a resin housing covering the rear surface of the printed board" and "a metal housing covering the front surface of the printed board" as recited in claim 1. Similar language is found in claim 5. The Office action cites Jochheim as disclosing these elements (Office action, 01/19/2005, page 2).

Jochheim discloses an upper housing shell 5 and a lower housing shell 6 with a printed circuit board 7 arranged between the half shells 5, 6 (col. 2, lines 51-64; fig. 1). Jochheim also discloses an antenna 4 attached to the upper end face of the lower housing part 6 (col. 2, lines 51-64; fig. 1). In Jochheim, the inside contour of the lower housing part 6 contains a wire weave 10 covered by an insulation layer 12.

Although the inside contour of the lower housing part 6 contains wire weave 10, Jochheim fails to disclose or suggest that the lower housing part 6 is a metal housing. In fact, Jochheim never discloses what material either of the housing parts 5, 6 themselves are made of. Jochheim also never discloses or suggests that one of the housing parts must be made of resin and the other housing part must be made of metal. Therefore, Jochheim does not disclose or suggest both a resin housing and a metal housing in the same embodiment. Thus, even if combined, the references do not disclose or suggest all the elements of the claimed invention.

Even if the Jochheim lower housing part 6 is construed as a metal housing, Jochheim would still fail to disclose or suggest that the metal housing covers a front surface of the printed board since the Jochheim lower housing part 6 covers a rear surface of the printed board (see fig. 1). Therefore,

Jochheim does not disclose or suggest a metal housing covering the front surface of the printed board and a resin housing covering the rear surface of the printed board. Thus, even if combined, the references do not disclose or suggest all the elements of the claimed invention.

Further with regards to claims 1 and 5, none of the references disclose or suggest "a part of the printed board is accommodated in the resin housing and a remaining part of the printed board is accommodated in the metal housing" as recited in claim 1 and "a part of the rear surface side of said printed board is accommodated in the resin housing" as recited in claim 5. The Office action cites Jochheim as disclosing these elements (Office action, 01/19/2005, page 2).

Jochheim discloses a printed circuit board 7 arranged between the half housing shells 5, 6 (col. 2, lines 57-60). In Jochheim, figs. 1, 2, and 4 show the printed circuit board 7 being entirely accommodated in the lower housing part 6. Since the Jochheim printed circuit board 7 is entirely accommodated in one housing part, Jochheim fails to teach that a part of the printed circuit board is accommodated in a resin housing and a remaining part is accommodated in a metal housing. Therefore, even if combined, the references do not disclose or suggest all the elements of the claimed invention.

Furthermore, there is no suggestion or motivation for one skilled in the art at the time the invention was made to combine Petratos with Jochheim to arrive at the claimed invention. The Petratos housing consists of a lower housing and a control head formed of polycarbonate plastic, and a shield is disposed within the housing to provide for electromagnetic isolation between the logic and radio boards. The Jochheim housing consists of an upper housing part and a lower housing part, and electromagnetic isolation is provided by a wire weave fitted on the inside contour of the lower housing part. Also in Jochheim, an antenna is attached to the upper end face of the lower housing. Therefore, there is no need or motivation to look at or use the Petratos housing elements, the electromagnetic isolation characteristics, or the antenna characteristics to modify Jochheim. Thus, there is no motivation or suggestion to combine Petratos with Jochheim.

The desirability to modify the housing due to electromagnetic isolation and antenna characteristics is found only in the Applicant's own description of the invention, in contrast to the

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requirement that the teaching or suggestion to make the modification must be found in the prior art and not based on an applicant's disclosure. Reconsideration and withdrawal of the rejection based upon the combination of references is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32439.

Respectfully submitted,

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